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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

Based on the facts set forth in the Declaration of Timothy O'Connell in Support of the United States' Motion for Summons, the United States hereby requests that the Court issue a summons for defendant Nick J. Whitaker, 101 Hyde Street, San Francisco, California 94102. The facts set forth in the Declaration demonstrate that probable cause exists to summon the defendant to answer the Information that has been filed by the United States Attorney.

Respectfully submitted,

JOSEPH P. RUSSONIELLO  
United States Attorney

Dated: 5/07/2008